

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LUIS JIMENEZ GONZALES,

Plaintiff,

2:12-cv-00105-CL

v.

ORDER

RON MEYERS, et al.,

Defendants.

AIKEN, District Judge.

On June 22, 2012, defendants filed a Motion to Dismiss (#26). The motion was taken under advisement by the court on July 30, 2012.

Plaintiff did not file a response to defendants' motion.

By Order (#29) the under advisement deadline was re-set as of February 12, 2013. That scheduling order was returned to the court as undeliverable. See (#31) ["Mail returned" - 02/04/2013].

Pursuant to Local Rule 83.10, a party not represented by counsel has a "continuing duty to notify, the clerk's office whenever they change their mailing address or telephone number." When mail from the court to a party cannot be delivered due to the lack of a current address, and the failure continues for sixty (60) days, the court may dismiss the action. Local Rule 83.12.

Plaintiff has not contacted the court since he filed a notice of change of address on April 5, 2012.


Defendants' unopposed Motion to Dismiss (#26) is allowed. This action is dismissed for failure to comply with the requirement of LR 83.10 and failure to prosecute.

The Clerk is directed to enter a judgment of dismissal with prejudice.

IT IS SO ORDERED.

Any appeal from this order or judgment of dismissal would be frivolous and not taken in good faith.

DATED this 18 day of March, 2013.



Ann Aiken
United States District Judge